

Ines Triay, Manager  
Carlsbad Area Office  
U.S. Department of Energy  
P.O. Box 3090  
Carlsbad, NM 88221-3090

Dear Dr. Triay:

The U.S. Environmental Protection Agency (EPA) sent inspectors to the Idaho National Engineering and Environmental Laboratory (INEEL) from May 17-21, 1999, to perform EPA inspection no. EPA-INEEL-5.99-8. The purpose of this inspection, as announced in the Federal Register (64 FR 18870), was to evaluate waste characterization systems and processes for specified waste types at INEEL in accordance with Condition 3 of EPA's certification of the Waste Isolation Pilot Plant (WIPP). The systems and processes that EPA planned to inspect were described by the Carlsbad Area Office (CAO) as applicable to homogeneous solids, debris, soils, and gravels. EPA had previously inspected and approved systems and processes at INEEL used for characterizing inorganic solids and graphite debris waste streams. A copy of the report of the previous inspection, no. EPA-INEEL-7.98-9, is enclosed for your convenience.

Section 8 of EPA's WIPP Compliance Criteria (40 CFR Part 194) requires EPA to "conduct an audit or an inspection of a Department audit for the purpose of evaluating the use of process knowledge and the implementation of a system of controls for each waste stream or group of waste streams at a waste generator site." When EPA began the most recent inspection, the inspectors were notified by INEEL personnel that necessary elements of the system of controls for characterization of waste other than inorganic solids and graphite could not be demonstrated at that time. The results of inspection no. EPA-INEEL-5.99-8 are therefore inconclusive with regard to these additional waste streams. In lieu of the planned inspection, EPA instead verified that the previously approved system of controls for characterizing inorganic solids and graphite debris waste streams is being adequately maintained. Because the inspectors found that these controls were adequately maintained and produced no new findings, EPA will not issue an inspection report.

INEEL may not ship waste streams other than those identified as inorganic solids and graphite debris to the WIPP until EPA has inspected and approved, in accordance with 40 CFR 194.8, the use of process knowledge and implementation of the system of controls for characterizing those additional streams. Please note that EPA also conducted a separate maintenance inspection of INEEL's quality assurance program, under authority of 40 CFR 194.22(e), during the week of May 17. The results of the quality assurance inspection will be communicated to you separately. It is our understanding that you have suspended shipments from INEEL pending resolution of corrective actions resulting from CAO audits of the site. We will continue to monitor INEEL's progress in this regard.

Please contact Mary Kruger at (202)564-9310 if you have any questions.

Sincerely,

/s/ S. Page (08/12/99)

Stephen D. Page, Director  
Office of Radiation and Indoor Air

Enclosure